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2
3 THE HONORABLE JUDGE THOMAS ZILLY
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12 UNITED STATES DISTRICT COURT FOR THE
13 WESTERN DISTRICT OF WASHINGTON
14 AT SEATTLE
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17 ERIC MATTHEW SCHOENBERG,
18
19 Plaintiff,

v.

20 WINDSTAR CRUISES LLC, et al,
21
22 Defendants.

23 No. 2:20-cv-01485-TSZ
24
25 MOTION TO WITHDRAW AS
26 PLAINTIFFS' COUNSEL OF
27 RECORD PURSUANT TO LCR
83.2(B)(1)
NOTED FOR HEARING:
3/26/2021

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29 I. MOTION TO WITHDRAW
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32 COMES NOW Attorney James McCanna and respectfully moves the court for an order
33 allowing counsel to withdraw as attorney of record for Plaintiff Eric Schoenberg in the
34 above referenced matter. This motion is made pursuant to LCR 83.2(b)(1) and based on the
35 subjoined declaration of counsel.
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RESPECTFULLY SUBMITTED this 11th day of March, 2021.

/s/ JAMES MCCANNA

James McCanna, WSBA # 22565
McCanna Law, PLLC
P.O. Box 468
Kingston, WA 98346

II. DECLARATION OF COUNSEL

COMES NOW James McCanna, under penalty of perjury under the laws of the State of Washington, and deposes and testifies as follows:

1. I am the attorney of record for Plaintiff Eric Schoenberg in this matter, I make this declaration based upon personal knowledge, and I am competent to make the same.

2. This matter is still in the discovery phase with discovery from Plaintiff due on March 17, 2021.

3. The discovery cut-off date is May 18, 2021.

4. I made my best efforts to keep my client advised about litigation deadlines, including discovery deadlines

5. Throughout this lawsuit, I have had difficulties in getting timely responses from my client

6. I have made repeated efforts to contact my client, through voice mail, email and via text message.

1 7. On the few occasions I have managed to speak with my client I have requested
2 timely responses to my inquiries and requests. I repeatedly advised my client that I could
3 not continue to represent him in the face of his repeated delays.

4 8. I have not heard from my client since February 23, 2021.

5 9. On March 4, 2021, I sent a certified letter of notice of withdrawal to his last known
6 address. Prior to this letter I confirmed his address in my records and with his mother.

7 10. Review of the tracking number on the USPS website on March 11, 2021 shows that
8 the letter has been forwarded to an unknown address.
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11 By: /s/ James McCanna
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